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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/824,927	04/15/2004	Jae-Hong Park	P1807USC6	7618

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EXAMINER
GARY, ERIKA A

ART UNIT	PAPER NUMBER
2617	

NOTIFICATION DATE	DELIVERY MODE
01/29/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PATENT@PARK-LAW.COM

	Application No.	Applicant(s)
Office Action Summary	10/824,927	PARK ET AL.
	Examiner	**Art Unit**	
	Erika A. Gary	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *4/15/04*.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *250-291* is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *250-291* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☒ All   b)☐ Some *   c)☐ None of:

　　　1. ☒ Certified copies of the priority documents have been received.

　　　2. ☐ Certified copies of the priority documents have been received in Application No. _____.

　　　3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   Claims 271, 272, 274, 276-280, 282, 284, 286-290 are rejected under 35 U.S.C.

102(e) as being anticipated by **Korpela (5,946,634).**

        Regarding claim 271, Korpela discloses a method for interfacing between a

terminal and a base station connected to a core network, wherein the terminal has a

hybrid operating type being possible to be set as either a synchronous operating type or

an asynchronous operating type, the base station is the asynchronous operating type

and the core network are a GSM-MAP operating type, said method comprising the

steps of: a) providing the terminal with a message including a core network operating

type information representing an operating type of a core network (see Fig. 9, steps

1202-1206; col. 3, line 66 to col. 4, line 3; col. 6, lines 29-41).

        Regarding claim 282, Korpela discloses an apparatus for interfacing between

a terminal and a base station connected to a core network, wherein the terminal has a

hybrid operating type being possible to be set as either a synchronous operating type or

an asynchronous operating type, the base station is the asynchronous operating type and the core network are a GSM-MAP operating type, said apparatus (see col. 3, line 66 to col. 4, line 3) comprising:, comprising: a storage device contained in the radio network for storing core network operating information representing an operating type of a core network (see col. 4, lines 14-36), extraction block, contained in the radio network, for reading the core network operating type information during a period of initialization of the radio network (registering on network and proceeding using new protocols, steps 1230, 1232 of Fig. 12) and wherein the storage device includes a memory for storing the operating type of the core network (feature of step 122 of Fig. 10), and messaging block (see 102 of Fig. 8), contained in the radio network, for periodically providing the terminal with the core network operating type information contained in a message through a predetermined channel (see col. 6, lines 14-28).

Regarding claims 272, 274, and 284 Korpela further discloses storing a core network operating type information (storage as code file, step 1222, Fig. 10), and reading the core network operating type information stored on a storage device during a time period of initialization of the radio network (registering on network and proceeding using new protocols, steps 1230, 1232 of Fig. 12) and wherein the storage device includes a memory for storing the operating type of the core network (feature of step 1304 of Fig. 11).

Regarding claims 276, 277, 286, and 287, Korpela further teaches inserting the core network operating type information into the message and transmitting the message through a predetermined channel (see 102 of Fig. 8) and wherein the predetermined

channel is a broadcast control channel (mobile terminal receives broadcast signals as

transmitted on the broadcast control channel, col. 6, lines 14-41 and col. 2, line 66 to

col. 3, line 5).

Regarding claims 278 and 288, Korpela further discloses wherein the core

network operating type information is periodically inserted into the predetermined

location of the message to be transmitted to the terminal (see col. 6, lines 15-24).

Regarding claims 279, 280, 289, and 290, Korpela further discloses the

message includes a master information block and a system information message (col.

6, lines 14-41).

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 273, 275, 283, and 285 are rejected under 35 U.S.C. 103(a) as being

unpatentable over **Korpela (5,946,634) in view of Well Known Prior Art (Official**

Notice).

Regarding claims 273, 275, 283, and 285, Korpela fails to specifically teach

that the storage device includes a dip-switch for designating the operating type of the

core network and the memory is a read only memory (ROM).

The use of storage devices including a dip-switch or ROM is very well known in the art and as such examiner takes Official Notice that it would have been obvious to one of ordinary skill in the art to provide a storage or memory device including a dip-switch or ROM in the system of Korpela in order to control the executing of codes from the storage locations for effecting desired communications.

5.   Claims 281 and 291 are rejected under 35 U.S.C. 103(a) as being unpatentable over Korpela in view of **3GPP TS 25.331 V3.0.0 (1999-10)**, hereinafter referred to as (the Specification).

Regarding claims 281 and 291, Korpela fails to explicitly disclose wherein the message is represented by a table as set forth in the claims.

The Specification teaches the use of broadcast of system information to broadcast system information elements that are of the same nature in a system information block (see page 24, paragraphs 8.1.1.1-8.1.1.1.2) and the system information messages contains elements as set forth in the table representing the message (see page 148-163).

It would therefore have been obvious to one of ordinary skill in the art to provide for the use of system information block or master information messages to identify core networks available for call connections as taught by the Specification in order to standardize and effectively ensure connection parameters being available for desired communications.

6.   Claims 250-259 and 261-269 are rejected under 35 U.S.C. 103(a) as being

unpatentable over **Korpela (5,946,634)** in view of **Lupien et al. (6,389,008)**.

Regarding claim 250, Korpela discloses a method for interfacing between a

terminal and a base station connected to a core network, wherein the terminal has a

hybrid operating type being possible to be set as either a synchronous operating type or

an asynchronous operating type, the base station is the asynchronous operating type

and the core network are a GSM-MAP operating type, said method comprising the

steps of: a) providing the terminal with a message including a core network operating

type information representing an operating type of a core network (see Fig. 9, steps

1202-1206; col. 3, line 66 to col. 4, line 3; col. 6, lines 29-41).

Korpela fails to specifically that the core network type information includes an

ANSI-41 information representing a synchronous operating type core network.

Lupien discloses an integrated radio communication network, which integrates

an ANSI-41 circuit switched network and a GPRS packet data network (see title,

abstract), wherein the amount of integration is kept as low as possible by maintaining

the integrity of each network function and node on both the GPRS side of the interface

and the ANSI-41 side (see col. 4, lines 42-63, col. 16, lines 35-51), and includes an

ANSI-41 core network (see col. 12, lines 3-21).

It would therefore have been obvious to one of ordinary skill in the art to

implement Korpela's multiple protocol communication system wherein a core network

operates according to ANSI-41 protocols in order to allow mobile subscribers to access

both voice/circuit switched and packet switched services in a flexible manner as taught by Lupien.

Regarding claim 261, Korpela discloses an apparatus for interfacing between a terminal and a base station connected to a core network, wherein the terminal has a hybrid operating type being possible to be set as either a synchronous operating type or an asynchronous operating type, the base station is the asynchronous operating type and the core network are a GSM-MAP operating type, said apparatus (see col. 3, line 66 to col. 4, line 3) comprising:, comprising: a storage device contained in the radio network for storing core network operating information representing an operating type of a core network (see col. 4, lines 14-36), extraction block, contained in the radio network, for reading the core network operating type information during a period of initialization of the radio network (registering on network and proceeding using new protocols, steps 1230, 1232 of Fig. 12) and wherein the storage device includes a memory for storing the operating type of the core network (feature of step 122 of Fig. 10), and messaging block (see 102 of Fig. 8), contained in the radio network, for periodically providing the terminal with the core network operating type information contained in a message through a predetermined channel (see col. 6, lines 14-28).

Korpela fails to specifically that the core network type information includes an ANSI-41 information representing a synchronous operating type core network.

Lupien discloses an integrated radio communication network, which integrates an ANSI-41 circuit switched network and a GPRS packet data network (see title, abstract), wherein the amount of integration is kept as low as possible by maintaining

the integrity of each network function and node on both the GPRS side of the interface
and the ANSI-41 side (see col. 4, lines 42-63, col. 16, lines 35-51), and includes an
ANSI-41 core network (see col. 12, lines 3-21).

It would therefore have been obvious to one of ordinary skill in the art to
implement Korpela's multiple protocol communication system wherein a core network
operates according to ANSI-41 protocols in order to allow mobile subscribers to access
both voice/circuit switched and packet switched services in a flexible manner as taught
by Lupien.

Regarding claims 251, 253, and 263 Korpela further discloses storing a core
network operating type information (storage as code file, step 1222, Fig. 10), and
reading the core network operating type information stored on a storage device during a
time period of initialization of the radio network (registering on network and proceeding
using new protocols, steps 1230, 1232 of Fig. 12) and wherein the storage device
includes a memory for storing the operating type of the core network (feature of step
1304 of Fig. 11).

Regarding claims 252, 254, 262, and 264, Korpela fails to specifically teach
that the storage device includes a dip-switch for designating the operating type of the
core network and the memory is a read only memory (ROM). The use of storage
devices including a dip-switch or ROM is very well known in the art and as such
examiner takes Official Notice that it would have been obvious to one of ordinary skill in
the art to provide a storage or memory device including a dip-switch or ROM in the

system of Korpela in order to control the executing of codes from the storage locations for effecting desired communications.

Regarding claims 255, 256, and 266, Korpela further teaches inserting the core network operating type information into the message and transmitting the message through a predetermined channel (see 102 of Fig. 8) and wherein the predetermined channel is a broadcast control channel (mobile terminal receives broadcast signals as transmitted on the broadcast control channel, col. 6, lines 14-41 and col. 2, line 66 to col. 3, line 5).

Regarding claims 257 and 267, Korpela further discloses wherein the core network operating type information is periodically inserted into the predetermined location of the message to be transmitted to the terminal (see col. 6, lines 15-24).

Regarding claims 258, 259, 265, 268 and 269, Korpela further discloses the message includes a master information block and a system information message (col. 6, lines 14-41).

7.   Claims 260 and 270 are rejected under 35 U.S.C. 103(a) as being unpatentable over Korpela and Lupien et al. and further in view of **3GPP TS 25.331 V3.0.0 (1999-10)**, hereinafter referred to as (the Specification).

Regarding claims 260 and 270, Korpela as modified by Lupien fails to explicitly disclose wherein the message is represented by a table as set forth in the claims.

The Specification teaches the use of broadcast of system information to broadcast system information elements that are of the same nature in a system

information block (see page 24, paragraphs 8.1.1.1-8.1.1.1.2) and the system

information messages contains elements as set forth in the table representing the

message (see page 148-163).

It would therefore have been obvious to one of ordinary skill in the art to

provide for the use of system information block or master information messages to

identify core networks available for call connections as taught by the Specification in

order to standardize and effectively ensure connection parameters being available for

desired communications.

Double Patenting

8.   The nonstatutory double patenting rejection is based on a judicially created
doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the
unjustified or improper timewise extension of the "right to exclude" granted by a patent
and to prevent possible harassment by multiple assignees.   A nonstatutory
obviousness-type double patenting rejection is appropriate where the conflicting claims
are not identical, but at least one examined application claim is not patentably distinct
from the reference claim(s) because the examined application claim is either anticipated
by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140
F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29
USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir.
1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422
F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163
USPQ 644 (CCPA 1969).
        A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d)
may be used to overcome an actual or provisional rejection based on a nonstatutory
double patenting ground provided the conflicting application or patent either is shown to
be commonly owned with this application, or claims an invention made as a result of
activities undertaken within the scope of a joint research agreement.
        Effective January 1, 1994, a registered attorney or agent of record may sign a
terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with
37 CFR 3.73(b).

Claims 250-291 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over the pending claims of copending Application No. 10/825,281. Although the conflicting claims are not identical, they are not patentably distinct from each other because the claims of the instant application are broadly encompassed by the claims of the application.

This is a <u>provisional</u> obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

Claims 250-291 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over the pending claims of copending Application No. 10/824,908. Although the conflicting claims are not identical, they are not patentably distinct from each other because the claims of the instant application are broadly encompassed by the claims of the application.

This is a <u>provisional</u> obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

Claims 250-291 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over the pending claims of copending Application No. 10/824,909. Although the conflicting claims are not identical, they are not patentably distinct from each other because the claims of the instant application are broadly encompassed by the claims of the application.

This is a <u>provisional</u> obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

Claims 250-291 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over the pending claims of copending Application No. 10/824,891. Although the conflicting claims are not identical, they are not patentably distinct from each other because the claims of the instant application are broadly encompassed by the claims of the application.

This is a _provisional_ obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

Claims 250-291 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over the pending claims of copending Application No. 10/824,928. Although the conflicting claims are not identical, they are not patentably distinct from each other because the claims of the instant application are broadly encompassed by the claims of the application.

This is a _provisional_ obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

Claims 250-291 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over the pending claims of copending Application No. 11/227,684. Although the conflicting claims are not identical, they are not patentably distinct from each other because the claims of the instant application are broadly encompassed by the claims of the application.

This is a _provisional_ obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

Claims 250-291 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over the pending claims of copending Application No. 11/457,940. Although the conflicting claims are not identical, they are not patentably distinct from each other because the claims of the instant application are broadly encompassed by the claims of the application.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

Claims 250-291 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-12 of U.S. Patent No. 7,203,514. Although the conflicting claims are not identical, they are not patentably distinct from each other because the claims of the instant application are broadly encompassed by the claims of the patent.

Claims 250-291 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-102 of U.S. Patent No. 6,741,868. Although the conflicting claims are not identical, they are not patentably distinct from each other because the claims of the instant application are broadly encompassed by the claims of the patent.

Claims 250-291 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-61 of U.S. Patent No. 7,110,788. Although the conflicting claims are not identical, they are not patentably distinct from each other because the claims of the instant application are broadly encompassed by the claims of the patent.

Conclusion

9.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Erika A. Gary whose telephone number is 571-272-7841. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Appiah can be reached on 571-272-7904. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.
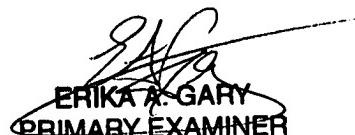
ERIKA A. GARY
PRIMARY EXAMINER

EAG
January 19, 2008